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Date of Deposit: October 11, 2002

Attorney Docket N . 21402-269 (CURA 569)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Guo, *et al.*  
ASSIGNEE: CURAGEN CORP.  
SERIAL NUMBER: 10/074,978  
FILING DATE: February 12, 2002  
FOR: NOVEL HUMAN PROTEINS AND NUCLEIC ACIDS ENCODING SAME

EXAMINER : Not Yet Assigned  
ART UNIT : 1646



Box Sequence  
Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice To File Missing Parts of Nonprovisional Application mailed March 12, 2002, Applicants submit herein an executed Combined Declaration and Power of Attorney form, payment of the surcharge of \$130.00 (Check Number: 1246) as set forth in 37 C.F.R. §1.16(e), a copy of the Notice to File Missing Parts of Nonprovisional Application, Preliminary Amendment, Petition for Five-Month Extension of Time, a check in the amount of \$1,960 (Check Number: 1247) to cover the Petition fee, Statement of Support of Computer Readable Form Submission, electronic and paper copy of sequence listing. This response is due on or before October 12, 2002 with a five-month extension.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21402-269 (Cura 569).

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529  
Eric Sinn, Reg. No. 40,177  
Attorneys for Applicants  
c/o MINTZ, LEVIN  
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Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

Dated: October 11, 2002



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PATENT TRADEMARK OFFICE

Express Mail Label No.: EU2822540US

Date of Deposit: October 11, 2002

10-15-02 37F  
Attorney Docket No. 21402-269 (CURA 569)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Guo, *et al.*  
ASSIGNEE: CURAGEN CORP.  
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SAME

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Washington, DC 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Response to Notice to File Missing Parts under 37 CFR 1.52 or 1.53 (1 pg.);
2. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.);
3. Check No. 1246 in the amount of \$130.00 to cover the surcharge;
4. Executed Combined Declaration and Power of Attorney seven counterparts - (58 pgs.);
5. Check No. 1247 in the amount of \$1,960.00 to cover the extension of time;
6. Petition for Five Month Extension of Time (1 pg.);
7. Computer Readable Form Copy of the "Sequence Listing" (1 diskette);
8. Statement in Support of Computer Readable Form Submission (1 pg.);
9. Paper Copy of "Sequence Listing" (571 pgs.);
10. Preliminary Amendment (6 pgs.); and
11. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts. A duplicate copy of this transmittal letter is enclosed.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 21402-269 (Cura 569).

Date: October 11, 2002



30623

PATENT TRADEMARK OFFICE

Respectfully submitted,

*Eric Sinn*

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EU 282822540 US

NYC 247826v1



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/074,978	02/12/2002	Xiaojia Guo	21402-269 (CURA-569)

CONFIRMATION NO. 9746

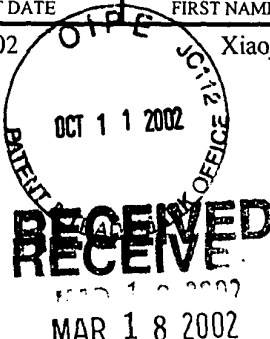
## FORMALITIES LETTER



\*OC000000007623708\*

MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
One Financial Center  
Boston, MA 02111

Done By	5/12/02
<input type="checkbox"/> Data Entry	
<input type="checkbox"/> Docket Entry	
<input type="checkbox"/> Docket Cross Off	
<input type="checkbox"/> Previously Entered	
<input type="checkbox"/> No Docketing Req	
<input type="checkbox"/> ELITE	
<input type="checkbox"/> Annuities	



Date Mailed: 03/12/2002

MINTZ LEVIN, BOSTON  
PATENT DOCKET DEPT.

10/16/2002 MBLAND

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01 FC:1051

130.00 OP

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE